IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 30TH MARCH 2007 / 9TH CHAITHRA 1929

WP(C).No. 34276 of 2005(E)

PETITIONER:

P.K.BHASKARAN,
PUNCHEDATHIL HOUSE, MOORTHANIKKARA,
VADATHARA, THRISSUR.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:
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1. **THE REGIONAL TRANSPORT OFFICER,**
   THRISSUR.

2. **THE THRISSUR DISTRICT MOTOR TRANSPORT**
   OWNERS CO-OPERATIVE SOCIETY LIMITED,
   THRISSUR, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.V.G.SANKARAN
BY GOVERNMENT PLEADER SMT. SMITHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 30/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.34276/2005 E

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE R.C. BOOK.

EXT.P2: COPY OF THE PASS BOOK.

EXT.P3: COPY OF THE REQUEST FOR NOC DTD. 09/08/05.

EXT.P4: COPY OF THE DECLARATION DTD. 6/10/05.

EXT.P5: COPY OF THE REQUEST DTD. 6/10/05.

2ND RESPONDENT'S EXHIBITS:

EXT.R2(A): COPY OF THE COMMUNICATION RECEIVED AT THE OFFICE OF THE PETITIONER.

EXT.R2(B): COPY OF THE EXTRACTS OF ADMISSION BOOK.

EXT.R2(C); COPY OF THE RECORDS OF IDENTITY CARDS OF THE SOCIETY.

/TRUE COPY/

KSS

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.34276 of 2005

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Dated this the 30th day of March, 2007.

JUDGMENT

Prayer in the W.P. is for direction to first respondent to cancel the hypothecation endorsed by it in the RC book of petitioner's stage carriage bearing Registration No.KL-10B 4284. Counsel for the second respondent submitted that arrears have been cleared by the registered owner. However, he pointed out that petitioner does not appear to have made a proper application and his signature also does not tally in the different documents produced. In the circumstances, petitioner is directed to approach the first respondent with a proper application and along with it original RC book. If a proper application is filed along with RC book, first respondent will remove the hypothecation endorsement in the name of the second respondent because counsel for second respondent admitted in court that liability is fully discharged.

The W.P. is disposed of as above.

C.N.RAMACHANDRAN NAIR
Judge

pms